



Entered on Docket
January 15, 2010

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES

Gregory L. Wilde, Esq.
Nevada Bar No. 004417
208 South Jones Boulevard
Las Vegas, Nevada 89107
Telephone: 702 258-8200
bk@wildelaw.com
Fax: 702 258-8787

MARK S. BOSCO, ESQ.

Arizona Bar No. 010167
TIFFANY & BOSCO, P.A.
2525 East Camelback Road, Suite 300
Phoenix, Arizona 85016
Telephone: (602) 255-6000
Wells Fargo Bank, N.A.
09-77846

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Federico Delagarza, Jr. and Brigitte Jean Delagarza

Debtors

BK-09-30016-bam

Date: 12/22/2009
Time: 1:30 pm

Chapter 13

ORDER VACATING AUTOMATIC STAY

1
2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
3 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
4 Secured Creditor Wells Fargo Bank, N.A., its assignees and/or successors in interest, of the subject
5 property, generally described as 5212 El Prado Heights, North Las Vegas, AZ 89081, and legally
6 described as follows:

7 **Parcel I:**

8 Lot 81 of FINAL MAP OF CORTEZ HEIGHTS, as shown by map thereof on file in Book 113
9 of Plats, Page 81, in the Office of the County Recorder of Clark County, Nevada and amended
10 by Certificate of Amendment recorded March 30, 2004 in Book 20040330 of Official Records,
Clark County Nevada, as Document No. 02339.

11 **Parcel II:**

12 A non-exclusive right and easement of ingress and egress and of use and enjoyment in, to and
over the Common Elements.

13 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
14 Debtors at least five business days' notice of the time, place and date of sale.

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
2 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
3 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
4 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

5 DATED this _____ day of _____, 2009.

6 Submitted by:

7 **WILDE & ASSOCIATES**

8 By: /s/Gregory L. Wilde, Esq.

9 **Gregory L. Wilde, Esq.**
10 Attorney for Secured Creditor
11 208 South Jones Boulevard
Las Vegas, Nevada 89107

12 **APPROVED / DISAPPROVED**

13 By: _____

14 **David Krieger**
1020 Garces Ave.
15 Las Vegas, NV 89101
Attorney for Debtor(s)

16 Nevada Bar No: _____

17 **APPROVED / DISAPPROVED**

18 By: _____

19 **Kathleen A Leavitt**
201 Las Vegas Blvd., So. #200
20 Las Vegas, NV 89101
Chapter 13 Trustee

21

22

23

24

25

26

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 The court waived the requirements of LR 9021.

3 No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 No parties appeared or filed written objections, and the trustee is the movant.

5 This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
copy of this proposed order to all counsel who appeared at the hearing, and any trustee
appointed in this case, any unrepresented parties who appeared at the hearing, and each has
approved or disapproved the order, or failed to respond, as indicated below:

6 Debtor's counsel:

7 approved the form of this order disapproved the form of this order

8 waived the right to review the order and/or failed to respond to the document

9 appeared at the hearing, waived the right to review the order

10 matter unopposed, did not appear at the hearing, waived the right to review the order

11 Trustee:

12 approved the form of this order disapproved the form of this order

13 waived the right to review the order and/or failed to respond to the document

14 This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
respond, as indicated below.

15 Debtor's counsel:

16 approved the form of this order disapproved the form of this order

17 waived the right to review the order and/or failed to respond to the document

18 appeared at the hearing, waived the right to review the order

19 Trustee:

20 approved the form of this order disapproved the form of this order

21 waived the right to review the order and/or failed to respond to the document

22 I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

23 Submitted by:

24 /s/ Gregory L. Wilde, Esq.

25 Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor